

COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EDMIN ALICEA,

Plaintiff,

-against-

THE CITY OF NEW YORK,
POLICE OFFICER ALEJANDRO RIVAS (TAX 925987),
DETECTIVE RICHARD BABOOLAL (TAX 924906), and
POLICE SERGEANT FREDY CRUZ (TAX 915528),

Defendants.

Case Number: 13 CV 7073 (JGK) (GWG)

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26 Court Street
Brooklyn, New York
August 21, 2014
9:14 a.m.

EXAMINATION BEFORE TRIAL of Defendant

RICHARD BABOOLAL, taken by the Plaintiff, held at
the above time and place, before Joseph Adler, a

stenotype Reporter and Notary Public of the State of
New York, pursuant to Notice and stipulations

between counsel.

BABOOLAL

1 Were you able to recover those items from her?
 2 Q
 3 I didn't recover any items from her.
 4 A
 5 Did you take any steps to recover those items from her?
 6 A
 7 No, I didn't take any steps recovering the items from her.
 8 Q
 9 While in custody, did you observe Mr. Alicea do anything that you believed gave rise to probable cause to arrest him?
 11 MR. FARRAR: objection.
 12 A
 13 What was that?
 14 Q
 15 While Mr. Alicea was in custody, did you personally observe him do anything that you believed gave rise to probable cause to arrest him?
 16 MR. FARRAR: objection.
 17 A
 18 In custody meaning in the holding cell?
 19 Q
 20 Yes.
 21 A
 22 I didn't re-arrest him.
 23 Q
 24 I did not re-arrest him. What are you referring --
 25 Q
 26 Did you observe him do anything illegal that would have justified his arrest while he was in

BABOOLAL

1 the precinct?
 2 A No.
 3 Q Did you observe this female in your memo
 4 book do anything else illegal once she was already
 5 in custody?
 6 A No.
 7 Q To your knowledge, how many members of the
 8 NYPD were involved in the arrest and apprehension of
 9 Mr. Alicea on March 27, 2012?
 10 MR. FARRAR: objection.
 11 A I don't know.
 12 Q To your knowledge, how many members of the
 13 NYPD were involved in the arrest and apprehension of
 14 the female you have noted in your memo book on March
 15 27, 2012?
 16 MR. FARRAR: objection.
 17 A I don't know.
 18 Q To your knowledge, was Officer Rivas
 19 involved in the arrest and apprehension of the
 20 female?
 21 A I know Officer Rivas processed.
 22 MR. FARRAR: what was that?
 23 Q To your knowledge, was Officer Rivas
 24 involved in the arrest and apprehension of the
 25